

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MONTGOMERY CARL AKERS,

Plaintiff,

vs.

JAMES KESZEI, *et al.*,

Defendants.

Case No. 2:07-cv-00572-JCM-GWF

ORDER

Plaintiff's Motion for Government
Counsel for Defendant James Keszei
To Produce Current Address (#319)

This matter comes before the Court on Plaintiff's Motion for Government Counsel for Defendants James Keszei to Produce Defendant Keszei's Current Address for Service Upon Him by the United States Marshal Service (#319), filed on September 22, 2011. Plaintiff requests the Court order Defendants' counsel, Roger W. Wenthe, to produce Defendant James Keszei's current address for the purpose of service. On September 27, 2011, Defendant Keszei filed a Notice of Waiver of Defense of Insufficient Service of Process Only (#320), the effect of which, deems the summons and complaint served on all appropriate parties, including Defendant Keszei, pursuant to Fed. R. Civ. P. 4(i)(3). Defendant Keszei now has sixty (60) days from the filing of his Notice to respond to the Amended Complaint. Fed. R. Civ. P. 12(a)(3). In light of this Notice (#320), Plaintiff's motion to compel the address of Defendant Keszei is moot. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for Government Counsel Produce Defendant Keszei's Current Address (#319) is **denied** as moot.

DATED this 28th day of September, 2011.



GEORGE FOLEY, JR.
United States Magistrate Judge